

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DISTRICT COURT
BRUNSWICK DIV.

2006 NOV -6 P 4:59

CLERK *[Signature]*
S.D. DIST. OF GA.

JOSE GILBERTO SERRANO GOYCO,

Petitioner,

v.

CIVIL ACTION NO.: CV205-239

BUREAU OF PRISONS, Officials
Fiction Defendants #'s 1-10; CALLIE
P. FARR; R.E. HOLT; JOSE M.
VAZQUEZ, Warden; JEFFREY
HOLMES; SUSAN PAIGE; CHERIE
SUMMERS; TREVOR O. HOMPTON;
ANA WARGA; U.S. MARSHALS;
BANNUM PLACE OF ORLANDO, INC.;
HARLEY G. LAPPIN, and ALBERTO
GONZALEZ, Attorney General,

Respondents.

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, it appears that Goyco asserts that he did not consent to have the Magistrate Judge review his claims, nor did he waive his right to review by an Article III judge.

28 U.S.C. § 636(b)(1)(B) permits a District Court Judge to designate a Magistrate Judge to submit his proposed findings of fact and recommendations for the disposition of any pretrial matter. The parties need not consent to such a participation by the Magistrate Judge during this stage of the litigation.

The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Goyco's petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, is **DENIED**, in part, and **DISMISSED**, in part. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 6th day of November, 2006.



JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA